

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6873

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WILLIAM JEFF ALMOND,

Defendant - Appellant.

Appeal from the United States District Court for the Eastern District of North Carolina, at Raleigh. James C. Dever, III, Chief District Judge. (5:06-cr-00184-D-1)

Submitted: December 15, 2011

Decided: January 5, 2012

Before NIEMEYER, MOTZ, and KING, Circuit Judges.

Affirmed by unpublished per curiam opinion.

William Jeff Almond, Appellant Pro Se. William Ellis Boyle, OFFICE OF THE UNITED STATES ATTORNEY, Raleigh, North Carolina, for Appellee.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

William Jeff Almond appeals the district court's order granting in part his motion for reduction of sentence under 18 U.S.C. § 3582(c)(2) (2006). We have reviewed the record and find no reversible error. We therefore affirm the district court's order.* United States v. Almond, No. 5:06-cr-000184-D-1 (E.D.N.C. June 28, 2011). See United States v. Dunphy, 551 F.3d 247, 251-52 (4th Cir.) (holding that § 3582(c)(2) does not authorize sentence below minimum of amended Guidelines range), cert. denied, 129 S. Ct. 2401 (2009); U.S. Sentencing Guidelines Manual § 1B1.10(b)(2) (2011). We deny Almond's request for a recall of the mandate in his prior appeal challenging the denial of relief under 28 U.S.C.A. § 2255 (West Supp. 2011). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

* Our decision is without prejudice to Almond's right to seek a sentence reduction under Amendment 750 in a subsequent § 3582(c) motion).